

REMARKS

Reexamination and reconsideration in light of the foregoing amendments to the claims and following remarks is respectfully requested.

Claims 2, 3, 5-8, 10 and 13 are pending in this application. Claims 1, 4, 9, 11 and 12 have been canceled without prejudice or disclaimer. Claim 2 has been amended to add a limitation that the wax in the composition has a melting point between 60° to 100° C as measured by DSC. The claim as amended is supported in the paragraph bridging pages 8 and 9 of the specification. The Examiner indicated that claims 8 and 13 would be allowable if rewritten in independent form and rewritten to include all limitations of the base claim and any intervening claims. Claims 8 and 13 have been so amended, and they are now believed to be in allowable condition.

Claims 2, 3, 5-7 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Arai (US Patent Publication No. 2001/0053491 A1). Claim 9 has been canceled, thereby rendering the rejection as to this claim moot. Arai has an effective filing date of April 23, 2001. Applicants have claimed priority under 35 U.S.C. § 119 to Japanese Patent Application No. 068883/2001 filed March 12, 2001 and to Japanese Patent Application No. 079680 filed March 21, 2001. In the previous Office Action (Paper No. 4), the Examiner acknowledged Applicants' claim for foreign priority and receipt of certified copies of the foreign priority documents relied upon for priority.

Enclosed with this response are certified English translations of both priority documents for the purpose of overcoming the effective date of the Arai reference. The certification by the translator states that translations are true and correct. Support for the claims in the priority documents is set forth below.

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Claim 2 is supported in Japanese Application No. 068883/2001 at page 3, lines 26-28; page 3, line 31 to page 4, line 13; page 6, lines 11-31; and page 7, line 12 to page 18, line 4.

Claims 3, 5 and 6 are supported in Japanese Application No. 068883/2001 at page 4, lines 12-13 and page 8, lines 5-27.

Claim 7 is supported in Japanese Application No. 068883/2001 at page 9, lines 5-18.

For all of the foregoing reasons, claims 2, 3 and 5-7 are supported in Japanese priority document, Japanese Application No. 068883/2001. Since the Japanese priority document antedates the effective filing date of the Arai publication, Arai no longer applicable. Accordingly, it is respectfully requested that the rejection of claims 2, 3 and 5-7 be reconsidered and withdrawn.

Claims 4 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Arai (U.S. Patent Publication No. 2001/0053491 A1) as applied to claims 2, 3 5-7 and 9 above, and further in view of Hashimoto et al. (U.S. Patent No. 6,465,144 B2). Claim 4 has been canceled, thereby rendering the rejection as to this claim moot. Claim 10 has been amended to be dependent on claim 13, and not claim 9, which has been canceled. Accordingly, the rejection as to claim 10 is now moot. Claim 10 is believed to be allowable, since it is now dependent on a claim, which the Examiner has indicated contains allowable subject matter.

Claims 11 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Arai (U.S. Patent Publication No. 2001/0053491) as applied to claims 2, 3, 5-7 and 9 above, and further in view of Shinya (Japanese Publication No. 3-125157). Claims 11 and 12 have been canceled rendering this rejection moot.

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For the foregoing reasons, it is submitted that the claims 2, 3, 5-8, 10 and 13 are allowable. Accordingly, favorable reconsideration of the claims is requested in light of the preceding amendments and remarks, and allowance of the claims is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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